

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2009-006530

02/22/2012

HONORABLE J. JUSTIN MCGUIRE

CLERK OF THE COURT  
E. Ramirez  
Deputy

001141038600  
IN RE THE MARRIAGE OF  
EMILY SIDI

ROBERT A JENSEN

AND

MICHAEL SIMONS

MICHAEL SIMONS  
1108 E HIGHLAND AVE APT 313  
PHOENIX AZ 85014

COMM. NEWCOMB

CONTEMPT HEARING

Courtroom 506—Central Court Building

8:42 a.m. This is the time set for 2<sup>nd</sup> Enforcement Review Hearing following entry of *Judgment/Order Re: Child Support* on October 14, 2011. Oblige/Mother is present with above-named counsel. Obligor/Father is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Emily Sidi and Michael Simons are sworn.

The Court takes judicial notice of The Honorable Casey J. Newcomb's *Minute Entry* dated January 23, 2012, modifying payment of current child support to \$638.30 per month and affirming payment of child support arrears at \$320.00 per month.

The Court takes judicial notice of its *Contempt Hearing Minute Entry* dated November 28, 2011.

Counsel for Oblige/Mother recites child support payments posted through the Support Payment Clearinghouse for the record.

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Discussion is held.

Emily Sidi declines to testify.

Michael Simons testifies.

Based upon the evidence and argument presented the Court makes the following findings and orders:

**THE COURT FINDS** that Obligor is in contempt of Court for failure to comply with a valid support order of which Obligor had knowledge. Obligor willfully failed to make support payments as previously ordered, or some reasonable portion thereof, despite his ability to do so. As a sanction,

**IT IS ORDERED** that Obligor, **Michael Simons**, shall be remanded to the custody of the Maricopa County Sheriff's Department and shall remain incarcerated in the Maricopa County Jail for an indefinite period of time. Obligor may purge himself of contempt by paying a case purge release in the amount of **\$500.00 CASH ONLY**.

**ANY MONIES PAID AS AND FOR PURGE SHALL BE FORWARDED TO THE SUPPORT PAYMENT CLEARINGHOUSE AND APPLIED TOWARD SUPPORT/ARREARAGE PAYMENTS.**

**IT IS FURTHER ORDERED** that Obligor may be placed in the Work Release Program (participation contingent upon Jail Classification/MCSO approval) to be released for employment, Monday through Friday, from 5:00 a.m. to 8:00 p.m.

**ISSUED:** Order of Confinement

**IT IS FURTHER ORDERED** setting Enforcement Review Hearing (to monitor Obligor's status of incarceration and payment of the cash purge) *and* referring this matter for Accountability Court before Commissioner Casey J. Newcomb, on **March 21, 2012, at 1:30 p.m. (Check-In at 1:00 p.m.)** Obligor must appear in person at the hearing which will be held at:

Maricopa County Superior Court  
**Old Courthouse, Courtroom 002**  
125 West Washington  
Phoenix, AZ, 85003  
**602-506-3566**

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**FAILURE OF OBLIGOR** (the party required to pay support) **TO APPEAR AT THE ABOVE DATE AND TIME MAY RESULT IN A FINDING OF CONTEMPT AND THE ISSUANCE OF A CHILD SUPPORT ARREST WARRANT AND A JUDGMENT MAY BE ENTERED FOR ANY ADDITIONAL ARREARAGES.** Obligee (the party receiving payments) is welcome, but not required, to appear at the hearing.

**IT IS FURTHER ORDERED** that, if Obligor remains incarcerated on the date and time of the Enforcement Review Hearing, the Maricopa County Sheriff's Office shall either transport or provide Obligor access to a telephone to appear telephonically. The call shall be initiated by MCSO to this division [(602) 506-3566] on the date and time of the hearing.

9:00 a.m. Matter concludes.

**PLEASE NOTE:** This Court utilizes a digital audio recording system to preserve the official record of proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

**REFERRAL FOR LEGAL SERVICES**

(1) Self Service Center, 101 West Jefferson, East Court Building, Phoenix, AZ. Automated telephone number: (602) 506-SELF. (Provides a variety of forms and instructions.) The parties may also obtain various forms from the Self-Service Center website at:

<<http://www.superiorcourt.maricopa.gov/ssc/sschome.html>>

(2) Lawyer Referral Service, 303 E. Palm Lane, Phoenix, AZ 85004 (Phone: (602) 257-4434). (Also available at: [www.maricopabar.org](http://www.maricopabar.org)) (This organization will refer you to a lawyer that meets your needs in your part of town. There is a \$35 charge for the first 30-minute conference. Any fees thereafter are set by the particular attorney.)

(3) Community Legal Service: 305 S. 2nd Ave. P.O. Box 21538, Phoenix, AZ 85036-1538 (Phone: (602) 258-3434). (Composed of Legal Aid Society and volunteer lawyers. The availability of service depends on your income level.)

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(4) Family Law Assistance Program: (Phone: (602) 506-7948). Located on the 6th Floor of the Central Court Building, 201 W. Jefferson Street, Phoenix. (A program sponsored by the Volunteer Lawyers Program and Community Legal Service. The ½ hour consultation is free to eligible clients or a \$35.00 fee for those who don't meet eligibility requirements.)

(5) Modest Means Project: (Phone (866) 637-5341). (A program sponsored by the State Bar of Arizona and the Arizona Foundation for Legal Services and Education, and other non-profits. The Arizona Modest Means Project provides low-cost legal assistance to people who cannot afford the expertise of attorneys' at the standard rates, but who cannot qualify for free legal services due to income qualification or other restrictions. The Project serves those whose income is less than or equal to 250% of the federal poverty guidelines.)